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September 2, 2010

MEMO ENDORSED

Hon. Richard M. Berman
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

USDC SDNY
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Re: Westport Insurance Company v. The Hamilton Wharton Group, et al.
Case No.: 10-CV-2188

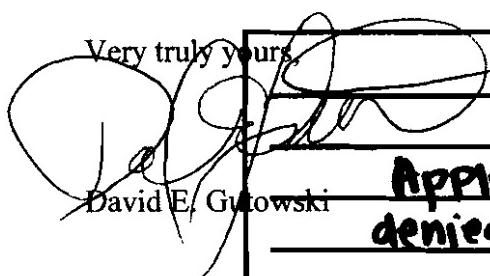
Dear Judge Berman:

This firm is counsel to defendants Inter-Community Memorial Hospital of Newfane, Inc. and Integrated Care Systems, LLC, in the above-referenced action.

We have received notice of Your Honor's August 24, 2010 Order scheduling a pre-motion conference on September 28, 2010 in response to the August 23, 2010 letter to the Court of Kevin L. Smith, Esq. on behalf of the defendants The Hamilton Wharton Group, Inc. and Walter B. Taylor.

I am writing to request the Court's permission to appear at the conference via telephone. We support Mr. Smith's application and make this request in order to avoid incurring additional expense on behalf of our clients.

DEG/jak
c: Kevin L. Smith, Esq.
Gregg D. Weinstock, Esq.
Eve I. Klein, Esq.
Robert L. Schonfeld, Esq.
Robert P. Conlon, Esq.

Very truly yours,

David E. Gutowski

Application respectfully denied.

SO ORDERED:
Date: 9/8/10


Richard M. Berman, U.S.D.J.